

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

PWV CONSULTANTS LLC,

Plaintiff,

No. 20 Civ 9030 (LTS) (JW)

-v-

CHEBIL REALTY LLC & ERIC
CHEBIL,

AMENDED ORDER

Defendants.

-----X

This matter having been commenced by the filing of a complaint on October 28, 2020, and Defendant Chebil Realty having failed to retain new counsel within 30 days of Magistrate Judge Willis' October 18, 2022 Order (see docket entry no. 82), and Plaintiff having sought permission to move for a default judgment, it is hereby

ORDERED, that the Plaintiff may make a motion for a default judgment against Defendant Chebil Realty; and it is further

ORDERED, that the Plaintiff's motion must be accompanied by evidence, in admissible form, of such facts as it would have proffered to meet its burden of proof on its direct case had a trial been held in this action; and it is further

ORDERED, that such motion for default judgment must be served on Defendant Chebil Realty and must be accompanied by copies of the Clerk's Certificate and of proof of service of the summons and complaint and the motion for default judgment as provided by the undersigned's Individual Practices Rules; and it is further

ORDERED, that said motion shall be briefed in accordance with the schedule set forth in Local Civil Rule 6.1 and will be taken on submission unless otherwise directed by the Court; and it is further

ORDERED, that Plaintiff must serve a copy of this Order on Defendant Chebil Realty and file proof of such service within fourteen (14) days from the date hereof.

This order hereby amends docket entry no. 86. In light of Defendant Chebil's filing of a notice of pro se appearance on November 23, 2022, Plaintiff's request for leave to file a default judgment motion against Defendant Chebil is denied, and the Court will address the pending motion for partial summary judgment against him. Plaintiff's counsel is hereby ordered to refile the proposed Clerk's Certificate of Default and accompanying declaration. This order resolves docket entry no. 85.

Dated: New York, New York
November 29, 2022

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge